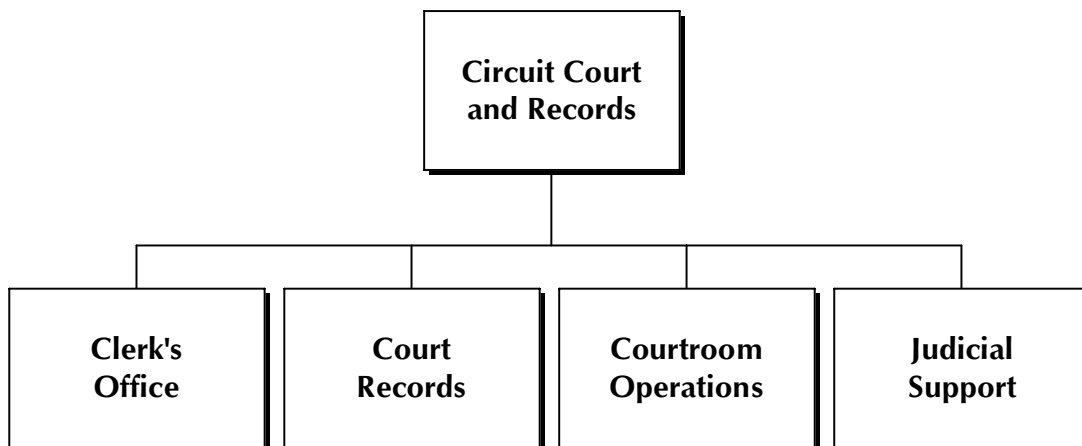


Circuit Court and Records



Mission

To provide administrative support to the 19th Judicial Circuit; to preserve, maintain and protect the public records; and to offer public services with equal access to all in accordance with the Code of Virginia.

Focus

The Circuit Court has jurisdiction in Criminal and Civil cases and provides appellate authority in which an appeal may be taken from a lower tribunal. Criminal cases involve a possible sentence to the State Penitentiary and misdemeanor appeals. Civil jurisdiction provides for adoptions, divorces, and controversies where the claim exceeds \$15,000. Public services include issuance of marriage licenses, processing notary commissions, probating wills, recording business certification of any trade names, and docketing judgments. The Circuit Court collects recordation taxes and provides true copies of documents that are of record in this office. Public access of court records are available on site or through the Court's Public Access Network, a secure remote access system known as CPAN.

The Land Records Division recorded 354,688 documents in FY 2006 generating \$9,415,440 in revenue. The number of documents represents a decrease of 6 percent from FY 2005. As anticipated last year, the number of Deeds of Trust and Certificate of Satisfaction recorded has decreased due to a slowdown in the number of refinances due to rising interest rates. It is anticipated that in FY 2007 and FY 2008, the number of recordings will be at a similar level as experienced in FY 2006.

Land Records also recorded 12,935 documents electronically in FY 2006. This represents 11 percent of the total Certificates of Satisfaction (120,980) that were recorded. Certificates of Satisfaction are the only documents recorded electronically at this time. The electronic recording of documents will continue to grow proportionately as it becomes a widely accepted practice in the industry and as the document types available for electronic filing expands pursuant to the new Uniform Real Property Electronic Recording Act (URPERA). A total of 58,504 Certificates of Satisfaction have been recorded electronically since the inception of the process. As the number of documents recorded electronically increases, the collection of recordation fees and recordation of documents will become more efficient. An initiative of the Clerk's Office is to create an electronic filing system that will be capable of recording all document types in a format that will be accessible to large and small businesses. This system should be implemented in calendar year 2007.

THINKING STRATEGICALLY

Strategic issues for the department include:

- o Developing workforce plans to address increasing workload requirements;
- o Leveraging technology to provide for increased efficiencies throughout the Court; and
- o Improving communications and cultural diversity by hiring a diverse workforce and establishing a formal internship program.

Circuit Court and Records

The Circuit Court is continuing its initiative to create a higher performing organization and has refined its vision into a blueprint that will demonstrably meet aggressive performance targets. The major focus areas of the projects will reflect changes to the organization's components: people, processes and technology. Changes to the components will be tested, measured and modified to ensure that they achieve the intended results.


Annual juror questionnaires became available on-line in September 2005. A total of 7,698 citizens completed the juror questionnaires on-line for the first time. In August 2006, more than 9,200 citizens answered the questionnaire within the first month of receipt. Circuit Court sent 45,000 questionnaires to the residents of Fairfax County and Fairfax City as the initial step in creating the 2007 jury pool. In addition, jurors also now have the capability to postpone their jury term or change addresses interactively through the phone system, relieving staff of time consuming tasks. These improvements provide increased availability, efficiency, and convenience for the citizens of Fairfax County and Fairfax City.

A new organizational structure has been developed with an emphasis on aligning similar functions throughout the Court. Positions have been abolished and re-established to create continuity between divisions, to provide a career path for staff, to add functionality, and to participate in strategic and succession planning.



In addition, the Circuit Court processes are also being studied, measured, and modified or adjusted to eliminate redundancies, backlogs, bottlenecks, and complex processes. The development of the Continuity of Operation Plan (COOP) is ongoing and will continue throughout the year.

The population of Fairfax County is becoming increasingly more diverse and so are the customers of the Courts. As a result, the Clerk's Office has taken steps to better serve the non-English speaking population. These steps include the development of standards for foreign language interpreters, and the better utilization of multilingual staff members. Additionally, in order to ensure that the interpreters used by the Courts maintain and enhance their interpretation skills, the Circuit Court provides a continuing education program for foreign language interpreters. This training session covers the Canons of Ethics that all interpreters must follow as well as a review of courtroom protocol.

New Initiatives and Recent Accomplishments in Support of the Fairfax County Vision

|  Maintaining Safe and Caring Communities | Recent Success | FY 2008 Initiative |
|---|-------------------------------------|-------------------------------------|
| Continue to monitor the list of qualified interpreters for the Fairfax Courts, including new interpreters that have passed the court certification exam offered by the Commonwealth of Virginia. Continue to develop in-house training programs related to cultural awareness and the use of foreign language interpreters, both in person and over the telephone. Continue to provide a continuing education program for foreign language interpreters that addresses courtroom protocol and the Interpreter Code of Ethics. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |

Circuit Court and Records

|  Connecting People and Places | Recent Success | FY 2008 Initiative |
|--|-------------------------------------|-------------------------------------|
| Continue to provide additional forms on the Circuit Court's Web site that are consistent with state and County printed forms. Investigate technology advancements such as digital signature which will permit more forms to be filed electronically. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Continue to increase the usage of new technologies to complete juror questionnaires and utilize interactive features of the system. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Expand usage of the Courts Public Access Network (CPAN) and the Court Automated Recording System (CARS) which are used to research 31 million land record images for use in buying, selling, and developing properties in Fairfax County. CPAN and CARS are used by Circuit Court staff, other County agencies, banks, mortgage companies, title companies, law firms and the general public. These subscription services provide residents with information about law and chancery matters, civil case information, civil and criminal service information on a 24/7 basis, real estate assessments and delinquent real estate tax information. CPAN has expanded from local Fairfax County users to users in more than 26 states and the District of Columbia. It has grown from 505 users in FY 2004 to 1,158 users in FY 2005 and to 1,992 in FY 2006. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
|  Creating a Culture of Engagement | Recent Success | FY 2008 Initiative |
| Establish a formal Circuit Court internship program with local learning institutions. Interns who are majoring in history or library sciences would learn and utilize industry standard archival practices relating to Fairfax Circuit Court historical documents dating back to 1742. Interns may also be involved in creating exhibits from historical documents and performing primary source research. | | <input checked="" type="checkbox"/> |

Circuit Court and Records

Budget and Staff Resources

| Agency Summary | | | | | |
|---|----------------------|-----------------------------------|-----------------------------------|--------------------------------------|-----------------------------------|
| Category | FY 2006 Actual | FY 2007 Adopted Budget Plan | FY 2007 Revised Budget Plan | FY 2008 Advertised Budget Plan | FY 2008 Adopted Budget Plan |
| Authorized Positions/Staff Years | | | | | |
| Regular | 137/ 137 | 137/ 137 | 137/ 137 | 137/ 137 | 137/ 137 |
| Exempt | 24/ 24 | 24/ 24 | 24/ 24 | 24/ 24 | 24/ 24 |
| State | 15/ 15 | 15/ 15 | 15/ 15 | 15/ 15 | 15/ 15 |
| Expenditures: | | | | | |
| Personnel Services | \$7,201,766 | \$8,155,828 | \$8,155,828 | \$8,351,336 | \$8,351,336 |
| Operating Expenses | 2,276,970 | 2,097,397 | 2,494,316 | 2,099,576 | 2,099,576 |
| Capital Equipment | 78,175 | 0 | 27,038 | 0 | 0 |
| Total Expenditures | \$9,556,911 | \$10,253,225 | \$10,677,182 | \$10,450,912 | \$10,450,912 |
| Income: | | | | | |
| Land Transfer Fees | \$36,533 | \$39,935 | \$36,533 | \$36,533 | \$36,533 |
| Courthouse Maintenance Fees | 5,183 | 6,065 | 6,065 | 6,065 | 6,065 |
| Circuit Court Fines and Penalties | 149,857 | 153,376 | 153,376 | 156,444 | 156,444 |
| Copy Machine Revenue | 78,831 | 79,946 | 79,946 | 79,946 | 79,946 |
| County Clerk Fees | 11,822,255 | 11,146,506 | 9,161,234 | 9,161,234 | 9,161,234 |
| City of Fairfax Contract | 3,797 | 98,661 | 43,855 | 45,992 | 45,992 |
| Recovered Costs - Circuit Court | 346 | 935 | 935 | 935 | 935 |
| CPAN | 212,823 | 217,318 | 320,559 | 326,970 | 326,970 |
| State Shared Retirement - Circuit Court | 93,486 | 91,161 | 95,823 | 97,740 | 97,740 |
| Total Income | \$12,403,111 | \$11,833,903 | \$9,898,326 | \$9,911,859 | \$9,911,859 |
| Net Cost to the County | (\$2,846,200) | (\$1,580,678) | \$778,856 | \$539,053 | \$539,053 |

FY 2008 Funding Adjustments

The following funding adjustments from the FY 2007 Revised Budget Plan are necessary to support the FY 2008 program:

- ◆ Employee Compensation** **\$365,074**
 An increase of \$365,074 in Personnel Services associated with salary adjustments necessary to support the County's compensation program.
- ◆ Personnel Services Reduction** **(\$169,566)**
 A decrease of \$169,566 in Personnel Services as part of an across-the-board reduction to meet budget limitations based on available revenues as a result of a flattening residential real estate market.
- ◆ Other Adjustments** **(\$421,778)**
 A net decrease of \$421,778 is due to a reduction of \$396,919 in Operating Expenses and \$27,038 in Capital Equipment primarily attributable to one-time expenses included as part of the FY 2006 Carryover Review as well as a decrease of \$1,321 in Department of Vehicle Services charges based on anticipated charges for fuel, vehicle replacement and maintenance costs, partially offset by an increase of \$3,500 for the PC Replacement Program based on the number of PCs scheduled to be replaced in FY 2008 according to the four-year replacement cycle.

Circuit Court and Records

Board of Supervisors' Adjustments

The following funding adjustments reflect all changes to the FY 2008 Advertised Budget Plan, as approved by the Board of Supervisors on April 30, 2007:

- ◆ The Board of Supervisors made no adjustments to this agency.

Changes to FY 2007 Adopted Budget Plan

The following funding adjustments reflect all approved changes in the FY 2007 Revised Budget Plan since passage of the FY 2007 Adopted Budget Plan. Included are all adjustments made as part of the FY 2006 Carryover Review and all other approved changes through December 31, 2006:

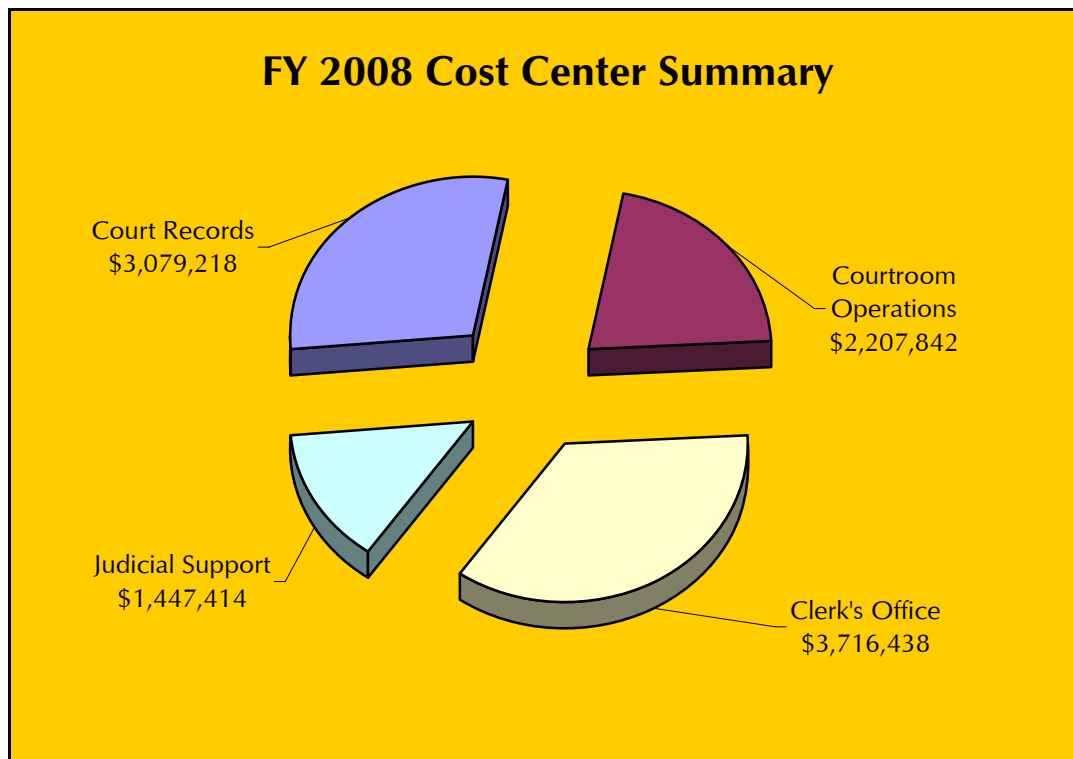
- ◆ **Carryover Adjustments** **\$423,957**
As part of the FY 2006 Carryover Review, the Board of Supervisors approved encumbered carryover of \$423,957.

The following funding adjustments reflect all approved changes to the FY 2007 Revised Budget Plan from January 1, 2007 through April 23, 2007. Included are all adjustments made as part of the FY 2007 Third Quarter Review:

- ◆ The Board of Supervisors made no adjustments to this agency.

Cost Centers

The Circuit Court and Records has four cost centers including Court Records, Courtroom Operations, the Clerk's Office, and Judicial Support.



Circuit Court and Records

Court Records

| Funding Summary | | | | | |
|----------------------------------|--------------------|-----------------------------------|-----------------------------------|--------------------------------------|-----------------------------------|
| Category | FY 2006 Actual | FY 2007 Adopted Budget Plan | FY 2007 Revised Budget Plan | FY 2008 Advertised Budget Plan | FY 2008 Adopted Budget Plan |
| Authorized Positions/Staff Years | | | | | |
| Regular | 48/ 48 | 48/ 48 | 48/ 48 | 48/ 48 | 48/ 48 |
| Total Expenditures | \$2,650,468 | \$2,985,255 | \$3,344,549 | \$3,079,218 | \$3,079,218 |

| Position Summary | | | | | |
|--------------------------------|------------------------------|----|-------------------------------|---|---------------------------------|
| 2 | Administrative Assistants V | 21 | Administrative Assistants III | 1 | Archives Technician |
| 4 | Administrative Assistants IV | 18 | Administrative Assistants II | 2 | Legal Records/Services Managers |
| TOTAL POSITIONS | | | | | |
| 48 Positions /48.0 Staff Years | | | | | |

Key Performance Measures

Goal

To record, preserve, safeguard and provide convenient access to all recorded documents and instruments pertaining to land, property, and all other matters brought before the Court; and to coordinate the retention, archiving and disposition of those documents in accordance with the [Code of Virginia](#).

Objectives

- ◆ To maintain a turnaround time of 13 days in returning recorded documents.
- ◆ To improve and expand the flow of information between the Circuit Court, other County agencies, and the public by increasing remote public access service usage, as measured by Citizen Public Access Network (CPAN) connections, by 10 percentage points.

| Indicator | Prior Year Actuals | | | Current Estimate | Future Estimate |
|---|--------------------|-------------------|----------------------------|---------------------|--------------------|
| | FY 2004 Actual | FY 2005 Actual | FY 2006 Estimate/Actual | FY 2007 | FY 2008 |
| Output: | | | | | |
| Land Documents Recorded | 476,862 | 376,776 | 350,000 / 354,688 | 350,000 | 350,000 |
| CPAN users served to date | 505 | 1,158 | 1,418 / 1,992 | 2,191 | 2,410 |
| Efficiency: | | | | | |
| Cost per recorded document | \$2.35 | \$2.55 | \$2.81 / \$3.25 | \$3.38 | \$3.46 |
| Revenue per paid CPAN connection | \$271 | \$300 | \$300 / \$265 | \$265 | \$265 |
| Service Quality: | | | | | |
| Turnaround time in returning recorded document (days) | 43 | 36 | 30 / 13 | 13 | 13 |
| Percentage point change of additional CPAN information available from off-site location | 14 | 10 | 10 / 7 | 7 | 7 |
| Outcome: | | | | | |
| Percent change in time to return documents | (12%) | (16%) | (17%) / (64%) | 0% | 0% |
| Percent change of CPAN connections | 6.3% | 129.3% | 22.5% / 72.0% | 10.0% | 10.0% |

Circuit Court and Records

Performance Measurement Results

Turnaround time in returning recorded documents was reduced from 36 days to 13 days in FY 2006 primarily due to a decrease in the volume of recordations. In FY 2006 approximately 6 percent fewer documents were recorded than in FY 2005. It should be noted that FY 2007 and FY 2008 efficiency estimates include projected salary increases for agency employees.

CPAN users increased by 72 percent in FY 2006. The secure remote access standards set forth by the Virginia Information Technologies Agency (VITA) in January 2004 continues to drive the increased number of subscribed users. These standards require individual subscriber accounts rather than corporate accounts. The known accessibility of the network spreading throughout the area as well as 26 states and the District of Columbia also has had an impact on the increased usage.

Courtroom Operations

| Funding Summary | | | | | |
|----------------------------------|--------------------|-----------------------------|-----------------------------|--------------------------------|-----------------------------|
| Category | FY 2006 Actual | FY 2007 Adopted Budget Plan | FY 2007 Revised Budget Plan | FY 2008 Advertised Budget Plan | FY 2008 Adopted Budget Plan |
| Authorized Positions/Staff Years | | | | | |
| Regular | 42/ 42 | 42/ 42 | 43/ 43 | 43/ 43 | 43/ 43 |
| Total Expenditures | \$2,002,439 | \$2,160,552 | \$2,193,775 | \$2,207,842 | \$2,207,842 |

| Position Summary | | | | | |
|--|------------------------------|----|---------------------------------|---|--------------------------|
| 17 | Administrative Assistants V | 2 | Legal Records/Services Managers | 1 | Administrative Associate |
| 3 | Administrative Assistants IV | 20 | Administrative Assistants III | | |
| TOTAL POSITIONS | | | | | |
| 43 Positions / 43.0 Staff Years | | | | | |
| 1/1.0 SYE Grant Position in Fund 102, Federal/State Grant Fund | | | | | |

Key Performance Measures

Goal

To provide full administrative and clerical support in order to accomplish the appropriate and prompt resolution of all cases and jury functions referred to the 19th Judicial Circuit.

Objectives

- ◆ To efficiently process County residents serving as jurors by maintaining the daily rate of utilization at no less than 100 percent, in order to minimize the impact on the personal and professional lives of the residents of Fairfax County who are called upon to perform their civic duty.

| Indicator | Prior Year Actuals | | | Current Estimate | Future Estimate |
|--|--------------------|----------------|-------------------------|------------------|-----------------|
| | FY 2004 Actual | FY 2005 Actual | FY 2006 Estimate/Actual | FY 2007 | FY 2008 |
| Output: | | | | | |
| Average number of residents called each day for jury selection | 74.3 | 67.2 | 67.0 / 74.0 | 74.0 | 74.0 |
| Efficiency: | | | | | |
| Cost per juror called for jury selection | \$46.44 | \$49.69 | \$52.62 / \$53.00 | \$53.30 | \$53.61 |
| Service Quality: | | | | | |
| Percent jury utilization | 99% | 100% | 100% / 107% | 100% | 100% |

Circuit Court and Records

| Indicator | Prior Year Actuals | | | Current Estimate | Future Estimate |
|---|--------------------|----------------|-------------------------|------------------|-----------------|
| | FY 2004 Actual | FY 2005 Actual | FY 2006 Estimate/Actual | FY 2007 | FY 2008 |
| Outcome: | | | | | |
| Percentage point change in juror utilization rate | (9) | 1 | 0 / 7 | (7) | 0 |

Performance Measurement Results

The number of jurors brought into Circuit Court to serve on cases is a result of the number of cases on the docket as of 4:00 p.m. the day prior to the date of service. A formula is used to ensure that sufficient jurors are available for *voir dire* (impaneling of jury) on each case. If a case settles after 4:00 p.m. and prior to 9:00 a.m. the number of jurors calculated and called for that day become extra jurors. It should be noted that FY 2007 and FY 2008 efficiency estimates include projected salary increases for agency employees.

Clerk's Office

| Funding Summary | | | | | |
|----------------------------------|--------------------|-----------------------------|-----------------------------|--------------------------------|-----------------------------|
| Category | FY 2006 Actual | FY 2007 Adopted Budget Plan | FY 2007 Revised Budget Plan | FY 2008 Advertised Budget Plan | FY 2008 Adopted Budget Plan |
| Authorized Positions/Staff Years | | | | | |
| Regular | 40/ 40 | 40/ 40 | 40/ 40 | 40/ 40 | 40/ 40 |
| Exempt | 8/ 8 | 8/ 8 | 8/ 8 | 8/ 8 | 8/ 8 |
| Total Expenditures | \$3,701,571 | \$3,693,612 | \$3,725,052 | \$3,716,438 | \$3,716,438 |

| Position Summary | | | | | |
|--|---------------------------------|---|-------------------------------|-----------------------------------|------------------------------------|
| 2 | Legal Records/Services Managers | 1 | Accountant II | 1 | County Clerk (Elected) E |
| 1 | Assistant Archivist | 1 | Accountant I | 1 | Deputy County Clerk E |
| 1 | Management Analyst IV | 6 | Administrative Assistants V | 1 | Chief of Administrative Services E |
| 4 | Management Analysts II | 4 | Administrative Assistants IV | 1 | Management Analyst III E |
| 1 | Programmer Analyst III | 6 | Administrative Assistants III | 1 | Management Analyst II E |
| 1 | Programmer Analyst II | 6 | Administrative Assistants II | 1 | Administrative Assistant IV E |
| 2 | Network/Telecom. Analysts III | 1 | Administrative Associate | 1 | Administrative Assistant III E |
| 1 | Info. Tech Technician I | 2 | Info. Tech. Program Mgrs. I | 1 | Administrative Assistant II E |
| TOTAL POSITIONS | | | | | |
| 48 Positions / 48.0 Staff Years | | | | E Denotes Exempt Positions | |

E Denotes Exempt Positions

Key Performance Measures

Goal

To provide effective management of the various components and employees of the Clerk's Office in order to produce efficient and effective service to the legal community and the general public.

Objectives

- ◆ To maintain an average fiduciary appointment waiting time of 1 week in order to serve the probate needs of Fairfax County residents in a timely manner.

Circuit Court and Records

| Indicator | Prior Year Actuals | | | Current Estimate | Future Estimate |
|--|--------------------|----------------|-------------------------|------------------|-----------------|
| | FY 2004 Actual | FY 2005 Actual | FY 2006 Estimate/Actual | FY 2007 | FY 2008 |
| Output: | | | | | |
| Fiduciary appointments scheduled per day | 27 | 26 | 26 / 26 | 26 | 26 |
| Efficiency: | | | | | |
| Cost per appointment | \$47.94 | \$55.72 | \$60.55 / \$61.63 | \$63.51 | \$65.46 |
| Service Quality: | | | | | |
| Average probate appointment book waiting time (in weeks) | 5.0 | 1.0 | 1.0 / 2.0 | 1.0 | 1.0 |
| Outcome: | | | | | |
| Percent change in waiting time | 400.0% | (80.0%) | 0.0% / 100.0% | (50.0%) | 0.0% |

Performance Measurement Results

Throughout FY 2006 the average time was two weeks to obtain a routine probate appointment. This time increased from one week in FY 2005 and that was a result of training a new probate clerk. It is noted however, that if an individual requests an appointment due to an extraordinary circumstance, the request is accommodated to meet the need of the requestor. The FY 2007 and FY 2008 efficiency estimates include projected salary increases for agency employees.

Judicial Support

| Funding Summary | | | | | |
|----------------------------------|--------------------|-----------------------------|-----------------------------|--------------------------------|-----------------------------|
| Category | FY 2006 Actual | FY 2007 Adopted Budget Plan | FY 2007 Revised Budget Plan | FY 2008 Advertised Budget Plan | FY 2008 Adopted Budget Plan |
| Authorized Positions/Staff Years | | | | | |
| Regular | 7/ 7 | 7/ 7 | 6/ 6 | 6/ 6 | 6/ 6 |
| Exempt | 16/ 16 | 16/ 16 | 16/ 16 | 16/ 16 | 16/ 16 |
| State | 15/ 15 | 15/ 15 | 15/ 15 | 15/ 15 | 15/ 15 |
| Total Expenditures | \$1,202,433 | \$1,413,806 | \$1,413,806 | \$1,447,414 | \$1,447,414 |

| Position Summary | | | | | |
|---------------------------------|-----------------------|---|-----------------------------|---------------------------|------------------------------|
| 1 | Chief Judge S | 1 | Management Analyst III E | 3 | Administrative Assistants IV |
| 14 | Judges S | 2 | Administrative Assistants V | 1 | Management Analyst II |
| 15 | Judicial Law Clerks E | | | | |
| TOTAL POSITIONS | | | | E Denotes Exempt Position | |
| 37 Positions / 37.0 Staff Years | | | | S Denotes State Position | |

Circuit Court and Records

Key Performance Measures

Goal

To provide full administrative support and clerical services to the Judges of the 19th Circuit in order to ensure appropriate and prompt resolution of cases.

Objectives

- ◆ To maintain the law case processing and disposition rate at 90 percent. The state average is 75 percent and the voluntary case processing guidelines adopted by the Judicial Council recommend 90 percent disposition of law cases filed within one year.

| Indicator | Prior Year Actuals | | | Current Estimate | Future Estimate |
|---|--------------------|----------------|-------------------------|------------------|-----------------|
| | FY 2004 Actual | FY 2005 Actual | FY 2006 Estimate/Actual | FY 2007 | FY 2008 |
| Output: | | | | | |
| Law cases concluded through the Differential Case Tracking Program (DCTP) | 3,173 | 2,825 | 3,000 / 7,253 | 7,253 | 7,253 |
| Efficiency: | | | | | |
| Cost per case concluded in DCTP | \$131.00 | \$186.62 | \$180.91 / \$72.53 | \$73.40 | \$75.60 |
| Service Quality: | | | | | |
| Percent of DCTP cases concluded within one year | 81% | 92% | 92% / 89% | 90% | 90% |
| Outcome: | | | | | |
| Percentage point change of DCTP caseload concluded within one year | (5) | 11 | 0 / (3) | 1 | 0 |

Performance Measurement Results

FY 2006 is the first complete fiscal year that included the Chancery cases in DCTP. This increased the number of cases in the track by over 100 percent. While every effort is made to conclude cases within the year, chancery cases do not necessarily lend themselves to this opportunity. Divorce cases have a higher emotional impact and some take longer to come to settlement, especially when custody of children is involved.